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SUBJECT: SYRIAN NATIONAL COUNCIL DETAINEES MAKE FIRST COURT  
APPEARANCE

REF: 07 DAMASCUS 1170

Classified By: CDA Todd C. Holmstrom for reasons 1.4 b and d

¶1. (SBU) Summary. All ten National Council detainees appeared in Criminal Court on January 28 in the first of what will likely be many court appearances over the next several months. National Council President Fidaa Hourani was formally accused of three politically motivated charges, while the same was expected for the other detainees. Although human rights lawyers have alleged security services have beaten the male detainees, no observer at the court was able to see any of them long enough to determine whether they had been tortured. End Summary

¶2. (SBU) On January 28, all ten National Council detainees, some of whom have been in custody since December 10, appeared in Damascus Criminal Court for the first time. The ten are Mohammad Yasser al-Eitti, Akram al-Bunni, Jaber al-Shoufi, Ahmad Toma, Fidaa al-Hourani, Ali Abdullah, Walid al-Bunni, Fayiz Sara, Mohammad Hajj Darwish, and Marwan al-Esh (reftel).

¶3. (C) The investigative judge interrogated the defendants one or two at a time starting with Fidaa Hourani, president of the National Council. She was charged with &spreading false news about the nation,8 &insulting the state,8 and &promoting sectarian tensions.8 Under Syrian law, each sentence carries a maximum charge of three years and is therefore considered a misdemeanor.

¶4. (C) Human rights lawyer Khalil Matook speculated all of the detainees would be similarly charged, but cautioned that a higher ranking judge may add new charges in the near future. A number of human rights lawyers had alleged that the security services had tortured the male detainees during their incarceration prior to their court appearance. Police guards at the Court made an effort not to let outside observers, such as diplomats and family members, get a good look at the prisoners. Therefore, evidence of torture allegations could be neither confirmed or denied. Human rights lawyer Sirin Khoury said that all the prisoners were transferred to Adraa prison yesterday except for Hourani, who was transferred to the women,s prison in Douma.

¶5. (C) Poloff, who snuck past the court guard before being escorted out, was able to see Hourani and Toma clearly.

Hourani and Toma appeared thin but in relatively good spirits. Among Syrian opposition figures present were Hassan Abdul Azeem, Riad Seif, and Riad Turk. Turk encouraged the White House, the State Department and Congress to continue to mention the National Council detainees publicly as he judged such statements served to keep up the pressure on the Syrian regime. There were also representatives from the German, French and Austrian Embassies in attendance as well as a Reuters correspondent, who planned to file a story.

HOLMSTROM